

**Conservation Commission Meeting Minutes  
September 10, 2014**

**Members Present:** Louis A. Napoli, Chairman, Douglas W. Saal, Vice Chairman, Joseph W. Lynch, Jr., Deborah A. Feltovic, Sean F. McDonough (arrived at 7:15p.m.)

**Members Absent:** Albert P. Manzi, Jr. John T. Mabon.

**Staff Members Present:** Jennifer A. Hughes, Conservation Administrator, Donna M. Wedge, Conservation Secretary.

***Pledge of Allegiance***

***Meeting came to Order at: 7:01PM Quorum Present.***

**Approval of Minutes 7/9/14**

- A motion to accept the meeting minutes of 7/9/14 as drafted and reviewed is made by Mr. Saal, seconded by Ms. Feltovic.
- Vote unanimous.

***Public Meeting: 7:02 PM***

**NACC# 132, 790 Dale Street (Wighardt)**

- Administrator summarizes the proposal to install a fence and landscape area within the Buffer Zone to Bordering Vegetated Wetland associated with an intermittent stream.
- Administrator states a corner of the fence needs to be moved outside of the 25-foot No-Disturbance zone.
- Mr. Wighardt, homeowner, reviews his reasoning for the fence placement.
- The Commission discusses the fence location as it relates to the 25-foot No-Disturbance Zone.
- The Administrator marks up the plan and shows it to both the Commission and
- A motion to accept this as a small project 4.4.2.J with conditions for a pre- and post-construction meeting, a requirement to stake out the fence location prior to installation, and installation of wetland markers is made by Ms. Feltovic, seconded by Mr. Saal.
- Vote 4 to 1 (Mr. McDonough abstained)

**Documents:**

- *Application Checklist-Small Project*
- *Small Project Procedures*
- *Plan of Land dated September 3, 2014*
- *Plan of Land Subdivision dated September 3, 2014*
- *Narrative of the Project*
- *Aerial Photo's dated September 3, 2014*
- *Survey Boundary Line dated August 1, 2009*
- *Photos (14) of yard dated September 3, 2014*

***Public Hearings: 7:15 PM***

***Request of Determination of Applicability***

**Lots 1-4 Peachtree Farms (Rea Street Development, LLC)**

- Alex Loft of Rea Street Development, LLC, and Ann Marton of LEC Environmental Consultants, Inc. are present on behalf of the applicant.
- Ms. Feltovic read the legal notice.
- Administrator reviews the proposed project and the reason for the RDA. Stormwater was previously jurisdictional to the NACC and could be altered by the proposal. Applicants are here to prove new impervious area does not change previous stormwater requirements and erosion controls will protect existing stormwater structures.
- Mr. McDonough asks if the current stormwater system is functioning properly.
- Ms. Marton reviews her stormwater inspection findings. System appears to be maintained and functioning.
- Mr. Mr. Lynch states proof of maintenance should be obtained.
- Ms. Marton discusses the monitoring that will be done during construction..
- Abutters Paul & Cynthia Demont of 55 Peach Tree request an explanation of the filing requirements for this project. Mr. Lynch explains.
- A motion to issue negative determination #1 #6, with conditions monitoring weekly, preconstruction, post construction and erosion controls is made by Mr. Saal, seconded by Ms. Feltovic.
- Vote unanimous.
- ***Documents:***
  - *Application Checklist-Request for Determination of Applicability*
  - *WPA Form 1-Request for Determination of Applicability*
  - *Project Description*
  - *Signatures and Submittal Requirements*
  - *Abutter's Notification Form*
  - *Certified Abutter's List dated September 3, 2014*
  - *Letter from Marchionda & Associates, L. P. dated September 9, 2014*
  - *Letter from Marchionda & Associates, L. P. dated September 10, 2014*
  - *Site Plan dated August 28, 2014*

***Notice of Intent (NOI)***

**242-1626, 1101 Turnpike Street (Massachusetts Electric Company) (Coneco Engineers, Scientists & Surveyors, Inc.) (cont. from 8/27/14)**

- Jonathan Novak of Coneco Engineers, Scientists & Surveyors, Inc. reviews the revised plan changes including a decrease in project impacts and an increase in the planting plan.
- Mr. Lynch states he is pleased with the results of the third party review which cut down on disturbance and resulted in more plantings on the site.
- A motion to accept the waiver request of section 3.4 of the Bylaw Regulations to the extent shown on the plans is made by Mr. Lynch, seconded by Mr. Saal.
- Vote unanimous.

- A motion to close and issue a decision within 21 days is made by Mr. McDonough, seconded by Ms. Feltovic.

**Documents:**

- *Letter from EcoTec, Inc. third party review dated July 28, 2014 and dated August 13, 2014*
- *Proposed Culverts Repairs permitting Plans dated June 27, 2014, revised August 22, 2014*
- *Notice of Intent revised dated September 3, 2014*
- *Photo's dated July 8, 2014*

**General Business: 7:45PM**

***Certificate of Compliance Request***

**242-1568, COC Request, 50 Royal Crest Drive (Building 48) (AIMCO North Andover LLC) (Cornerstone Land Consultants, Inc.)**

- A motion to grant a continuance to the September 24, 2014 meeting is made by Ms. Feltovic, seconded by Mr. McDonough.
- Vote unanimous.

**Documents**

- *E/Mail from Kenneth Lania of Cornerstone Land Consultants, Inc. requesting a continuance to September 24, 2014 meeting dated September 10, 2014*

**242- 1610, COC Request, 325 Abbott Street (Lot 3) (Boberin, LLC) (DC MacRitchie, Inc.)**

- The commission reviews the engineer's letter and plans.
- Mr. Napoli states fence needs to be on the plan.
- A motion to grant a continuance to the September 24, 2014 meeting is made by Ms. Feltovic, seconded by Mr. McDonough.
- Vote unanimous.

**Document:**

- *Letter from DC MacRitchie, Inc. dated September 2, 2014*
- *Letter from DC MacRitchie, Inc. dated September 10, 2014*
- *WPA Form 8A-Request for Certificate of Compliance*
- *AS-Built Plan September 2, 2014*
- *Photo's dated September 8, 2014*

**242-1611, COC Request, 315 Abbott Street (Lot 2) (Boberin, LLC) (DC MacRitchie, Inc.)**

- Administrator states the wood chips and silt fence are still on the site should be removed before issuing a COC.
- The commission states wood chips can be spread upland on site.
- A motion to grant a continuance to September 24, 2014 meeting is made by Ms. Feltovic, seconded by Mr. McDonough.
- Vote unanimous.

**Document:**

- *Letter from DC MacRitchie, Inc. dated September 2, 2014*

- *Letter from DC MacRitchie, Inc. dated September 10, 2014*
- *WPA Form 8A-Request for Certificate of Compliance*
- *AS-Built Plan September 2, 2014*
- *Photo's dated September 8, 2014*

**242-1470, COC Request, 195 Bridle Path (Ercolini) (Andover Consultants, Inc.)**

- Administrator states the applicant is out of the country and requests a continuance to the next meeting.
- A motion to grant the request for a continuance to the September 24, 2014 meeting is made by Mr. McDonough, seconded by Ms. Feltovic.
- Vote unanimous.

**Document:**

- *E/Mail from James S. Fairweather II, P. E. requesting a continuance to September 24, 2014 meeting dated September 10, 2014*

**Decision**

**242-1626, 1101 Turnpike Street**

- The administrator reviews the draft Order of Conditions.
- The Commission amends the Order of Conditions.
- A motion to accept the Order of Conditions as amended is made by Mr. Lynch, seconded by Ms. Feltovic.
- Vote unanimous.

*A motion to adjourn the meeting at: 8:10PM is made by Ms. Feltovic, seconded by Mr. Saal*  
*Vote unanimous.*